Appl. No. 09/870,302
Amdt. dated July 27, 2005

PATENT

REMARKS

Prior to this Response, Claims 1 - 20 were pending in this application. Claims 1, 5, 9, 15, and 20 have been amended. No claims have been added or canceled. Therefore, claims 1-20 remain presented for examination. No new matter has been added by the amendments. Reconsideration of this application in view of the amendments and following remarks is respectfully requested.

35 U.S.C. § 102(e) Rejection, Gurijala

The Final Office Action, dated February 10, 2005, rejected claims 1, 5-8 and 15-20 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,601,090 issued to Gurijala et al. (hereinafter "Gurijala"). Applicants respectfully traverse as Gurijala fails to disclose all of the recitations of these claims, as amended.

Claim 1, as amended, recites a content exchange apparatus comprising a content tracker configured to receive identifiers directly from a plurality of origin servers. Claim 1 also recites an origin server database comprising a list of origin servers identified to the content tracker by the respective origin server. These recitations are not taught or suggested by Gurijala.

The Office Action equated the content tracker of claim 1 to the cache name server of Gurijala, the origin servers to the web servers of Gurijala, and the content store to the web cache servers of Gurijala. Assuming, *arguendo* these equations are proper, Gurijala would have to disclose that the cache name server was configured to receive object identifiers directly from the web servers coupled with the Internet. Gurijala also would have to disclose that the cache name server database stored a list of web servers identified to the content tracker by the web servers. However, in contrast to claim 1, Gurijala discloses that object identifiers are sent to a cache name server by the web cache servers caching the objects, not the web servers. Gurijala., col. 5, ll. 42-49. Additionally, the cache name server database merely stores URI's identified to the content tracker by the web cache servers, not a list of web servers identified by the web servers. Id. at col. 5, ll. 42-45.

As Gurijala fails to teach or suggest the recitations of claim 1 discussed above, Applicants respectfully submit claim 1 is allowable. Claim 15 recites receiving information

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about the origin server directly from the origin server. As Gurijala fails to teach or suggest receiving information directly from origin servers, claim 15 is also believed to be allowable. Claims 5-8 and claims 16-20 depend from claim 1 or claim 15. Accordingly, these claims are believed to be allowable for at least the same reasons as the parent claims.

Claim 20, as amended, recites a content store having a first section and a second section. The second section comprises a file system having content objects which remain stored for a period of time regardless of request frequency. At least one content object in the second section is associated with a period of time determined by the respective origin server. Applicants respectfully submit that Gurijala does not teach or suggest a content store with at least one content object which remains stored for a period of time determined by the respective origin server. Therefore, Applicants submit that claim 20 is also allowable.

Applicants also respectfully submit that the dependent claims are allowable for additional reasons. For instances, claim 5 contains recitations similar to those discussed with reference to claim 20. As another example, claim 19 recites that contacting comprises determining if any other content exchanges have at least a portion of the content object. The portion is requested if it is found on any other content exchanges and requested from the origin server if it is not on any of the content exchanges. Unlike Gurijala, the web cache server (equated to the content exchange) does not determine whether any other content exchanges have the content object when a content object request at the content exchange results in a cache miss (as recited in independent claim 15). Thus, Applicants respectfully submit claim 19 is also allowable for the additional reasons.

35 U.S.C. 103(a) Rejection, Gurijala, Chase

The Office Action rejected claims 2-4 and 9-14 under 35 U.S.C. 103(a) as being unpatentable over Gurijala et al, in view of EP 0877326A2 issued to Chase (hereinafter "Chase"). Claims 2-4 depend on claim 1. Similar to claim 1, claim 9 recites an origin server database comprising a list of origin servers identified to the content exchange directly by the respective origin server. Claims 10-14 depend on claim 9. As Chase also fails to teach or

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suggest the recitations of claim 1 discussed above, these claims are believed to be allowable for at least the same reasons.
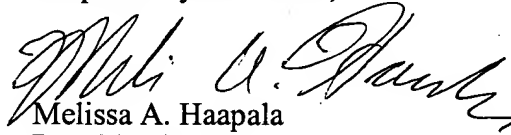
REQUEST FOR TELEPHONE INTERVIEW

If there remain any issues of allowance with this application, Applicants respectfully request the Examiner please telephone the undersigned for a telephone interview.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Respectfully submitted,

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